

AMENDED IN SENATE JUNE 24, 2008

AMENDED IN ASSEMBLY JANUARY 15, 2008

AMENDED IN ASSEMBLY JANUARY 7, 2008

AMENDED IN ASSEMBLY DECEMBER 13, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 531

Introduced by Assembly Member Salas

**(Coauthors: Assembly Members Brownley, Caballero, Carter, Coto,
Eng, Hancock, Mullin, and Solorio)**

(Coauthors: Senators Alquist, Cedillo, Romero, and Torlakson)

February 21, 2007

An act to add Section 51204.6 to the Education Code, relating to the public school curriculum.

LEGISLATIVE COUNSEL'S DIGEST

AB 531, as amended, Salas. Curriculum frameworks: social sciences: school segregation.

Existing law requires the Curriculum Development and Supplemental Materials Commission to recommend curriculum frameworks to the State Board of Education. The board is required to adopt the content of curriculum frameworks in accordance with specified regulations. The board also is required to bring the curriculum frameworks into alignment with the statewide content and performance standards and to ensure that curriculum frameworks are reviewed and adopted in each of specified subject areas consistent with the cycles for the submission of instructional materials for adoption by the board.

This bill would require the case of *Mendez v. Westminster School Dist.* (64 F. Supp. 544 (C.D. Cal.1946), *aff'd*, *Westminster School Dist. v. Mendez* (9th Cir. 1947) 161 F. 2d 774) and the role of this case in the civil rights movement and the desegregation of public schools in California and the nation to be included in the history-social science framework, evaluation criteria, and instructional materials *for grade 4 and either grade 11 or 12 when they are* adopted in the course of the next submission cycle.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) In 1943, the children of Gonzalo and Felicitas Mendez were
4 denied entry into the 17th Street School in Westminster, California
5 because they were Mexican American. As a result, the Mendez
6 family in March of 1945 joined four other Latino families and sued
7 four school districts in Orange County on behalf of their children
8 and 5,000 others. The Mendez family earned a living as tenant
9 farmers and was able to bring the lawsuit forward with the help
10 of civil rights attorney David Marcus.

11 (b) The lawsuit, *Mendez v. Westminster School Dist.* (64 F.
12 Supp. 544 (C.D. Cal.1946), *aff'd*, *Westminster School Dist. v.*
13 *Mendez* (9th Cir. 1947) 161 F. 2d 774), argued that the school
14 districts denied the children equal protection under the law and
15 due process of law under the Fourteenth Amendment to the United
16 States Constitution. Eventually, amicus curiae briefs were filed by
17 the American Jewish Congress, the ACLU, the National Lawyers
18 Guild, the Japanese Americans Citizens League, and the NAACP.
19 The success of the lawsuit led to legislation in California that
20 repealed laws mandating segregation and set legal and strategic
21 precedent for other cases striving to end educational segregation,
22 including the national landmark case of *Brown v. Board of*
23 *Education*.

24 (c) As a result of the Mendez case, the Legislature and Governor
25 Earl Warren in 1947 repealed the last school segregation statutes
26 in California, making California the first state to end school
27 segregation. The Mendez case represents the beginning of the end

1 of legal school segregation and signifies the important role of
2 California in the civil rights movement, a role that should be both
3 preserved and remembered.

4 SEC. 2. Section 51204.6 is added to the Education Code, to
5 read:

6 51204.6. (a) The State Board of Education and the Curriculum
7 Development and Supplemental Materials Commission shall ensure
8 that the history-social science framework, evaluation criteria, and
9 instructional materials adopted in the course of the next submission
10 cycle following the date on which this section becomes effective
11 include *for grade 4 and either grade 11 or 12* the case of Mendez
12 v. Westminster School Dist. (64 F. Supp. 544 (C.D. Cal.1946),
13 aff'd, Westminster School Dist. v. Mendez (9th Cir. 1947) 161 F.
14 2d 774) and the role of this case in the civil rights movement and
15 the desegregation of public schools in California and the nation.

16 (b) The Legislature encourages instruction on the case of
17 Mendez v. Westminster School Dist. (64 F. Supp. 544 (C.D.
18 Cal.1946), aff'd, Westminster School Dist. v. Mendez (9th Cir.
19 1947) 161 F. 2d 774) to include the oral or video history of the
20 people who were involved in the case and efforts they made to end
21 educational segregation in California. These histories also shall
22 solicit comment from their subjects regarding all of the following:

23 (1) The reasons for their involvement in the case.

24 (2) The impact the case had on their lives.

25 (3) The consequences of educational desegregation in the United
26 States.

27 (c) The Legislature encourages all state and local professional
28 development activities to provide teachers with content background
29 and resources to assist in teaching about the case of Mendez v.
30 Westminster School Dist. (64 F. Supp. 544 (C.D. Cal.1946), aff'd,
31 Westminster School Dist. v. Mendez (9th Cir. 1947) 161 F. 2d
32 774).